

March 1, 1984

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is unwise, but they couldn't get out, such as our salary being set in the Constitution. I think this is a serious matter.

SENATOR GOODRICH: I agree with you except that we are not putting anything on the statute books at this time. We are just dealing with the Constitution itself, the constitutional amendment itself, the proposed constitutional amendment is a better way of saying it. Consequently, I...and I disagree with you on your interpretation of "confiscated". I think just because a law enforcement officer takes possession of something, that is not confiscation. That is taking possession away from you but it is not going to be confiscated unless the court finds that it is part of the illegal activity and is hereby confiscated. That is the court's decision to make and it is for that reason that I do not support your...I will not support your amendment. I think what we would be doing would be to say...

PRESIDENT: One minute.

SENATOR GOODRICH: ...to the illegal...the party involved in the illegal activity, if you want to forfeit this, fine. If you don't want to forfeit it then it goes back to you because you have removed the word "confiscated" out of the constitutional amendment, if we were to comport with the Constitution in the supportive legislation. So consequently I would suggest that we do nothing on this right now but we actually get together later on and have a thorough discussion of this at a time when we can do it more leisurely and have a give and take conversation over the thing. I see Senator Landis is back. I will talk to him in a minute here.

PRESIDENT: Senator Pirsch, what do you want to do to...suspend...do you want to suspend movement on this or what do you want to do, Senator?

SENATOR PIRSCH: If...with Senator Chambers' agreement I would like to let this go so we won't take anymore time on it and we will come back then if there is need for a change